



GREENWOOD COMMON COUNCIL JANUARY 19, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church led in prayer.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers. City Attorney Shawna Koons-Davis was not able to be present.
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Mr. Bless moved to approve the minutes of December 15, 2003, with second by Mr. Deer. Vote: Ayes. Mr. Bates then moved to approve the minutes of January 5, 2004, with second by Mr. Gibson. Vote: Ayes.

There followed discussion on the reasoning for changing the agenda to have audience issues early in the meeting. This is for the convenience of the audience. Issues included speeding on Sheek Road and drainage problems in the Cherryfield area. Mayor Henderson noted that drainage issues are dealt with by the Board of Public Works and Safety.

For the Planning Commission, Mr. Armstrong reported on the election of officers: Phil Tinkle, President and Trent Pohlar, Vice-President. As other issues arise, they will be discussed. A training session is scheduled for January 26th at 7:00 p.m. in the basement, for new Council and Planning Commission members.

President Reed reported on the formation of an ad-hoc committee to study space issues. She has appointed Keith Hardin, Ron Bates and John Gibson. The Mayor's appointee is Jerry McKinney. The Council appointee is Mike Campbell. The National City Bank Building has been sold, and the City offices have been asked to vacate the fourth floor by March. The new owners have said that the third floor will be available but the rent will be going up, stated the Mayor.

Mr. Deer reported that the tax abatement sub-committee will be meeting Thursday at 7:00 p.m. in the first-floor conference room.

For the Solid Waste Management Board, Mr. Gibson reported that they met on January 12th at 1:15 p.m. He was elected secretary-treasurer.

Concerning the meeting with Valle Vista residents, Mr. Armstrong reported that the Mayor had told the residents that Valle Vista and Northern Park were the two largest subdivisions in the City and that because of their size normal maintenance funds for the streets would not be sufficient. Mr. Armstrong said he had asked for the maintenance schedule for repaving the streets in the entire City and the Mayor replied it would be available on the 16th. Mayor Henderson wanted to clarify that this meant how we were going to maintain the rest of the City and Mr. Armstrong agreed.

From the audience, Hal Vargo of the Economic Development Commission was invited to discuss the plan for the City flag. Prototypes have been made and Mr. Vargo told the Council that the EDC had decided that we should use the design we had already on City vehicles and department letterhead. Mr. Vargo showed the Council a rendering of what would be a 3' by 5' flag and gave prices for the two-color green and gold. Set up is \$150 and lots of 50 are \$42. Mr. Gibson suggested talking with the Chamber of Commerce to get a base of commitments to work from. Mr. Vargo told the Council that he would like to have the flags in our hands by the Street Fair on June 26th to sell them for what we pay. Mr. Vargo introduced Loren Puck and Frank Fyffe of the EDC at this time. Mr. Deer moved that the Council adopt

by consensus the design proposed by the EDC and move forward with acquiring the design. Second by Mr. Bates. Vote: Ayes.

ORDINANCE No. 04-01 – An Ordinance Transferring Funds From the Budget of the Greenwood City Court (\$40,582) to the Budget of the Post-Conviction Services (Probation & Drug Court). Mayor Henderson opened the public hearing for public comment. As no one spoke, the public hearing was closed. Mr. Gibson moved to pass Ordinance No. 04-01 through first reading. Second by Mr. Bless. Judge Lewis Gregory explained that post-conviction services is funded through user fees. He estimates that over the last 18 months, a deficit has accrued in that division. Over the last 2½ years they have collected \$43,000 in late fees, which is put in a special fund that is available to use at the court's discretion, subject to an appropriation by the Council. Judge Gregory noted that he thought it would be appropriate to transfer the money in that fund at the time he asked that the ordinance be drafted, so that post-conviction services would have a positive operating balance. In mid-2003 the Judge indicated he became aware that the post-conviction services was operating under a regular but modest negative cash flow. In August of 2003 he made some adjustments to the fee schedule, and it appears that each month since December there has been a positive balance. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 03-58 – An Ordinance Amending Ordinance No. 89-65, As Amended, and Greenwood Municipal Code (1993), As Amended, Chapter 2, Article 8, Section 2-69 (k), To Permit City Employees to Carry Over Up to 40 Hours of Unused Vacation Leave Into the Year 2004 Only. Mr. Bates moved to pass Ordinance No. 03-58 on second reading, with second by Mr. Hardin. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 04-02 – A Resolution Confirming Resolution 03-32 The Declaration of Certain Real Property and Improvements for Property Tax Abatement (Sedgwick Properties, LLC). Mayor Henderson opened the public hearing. Joyce Nies of Van Valer Law Firm represented the petitioner; Marty Sedgwick was present with her. Ms. Nies informed the Council that they had revised the Statement of Benefits after the meeting with the Redevelopment Commission. The completion date is to be no later than February 28, 2006. The proposed project at Precedent Business Park is for 10,200 square feet, and is basically the matching side for what already exists (and was abated in 2001). The proposed building is a speculative building; there is no tenant as yet. They are anticipating a service company. Ms. Nies went on to highlight the summary of tax and abatement projections. Current annual real estate taxes are \$329 per year, or \$3,290 for 10 years. Before the abatement and with the improvements on the real estate, the projected 10-year land tax is \$35,880 and on the building \$93,600, for a projected 10-year total of \$129,480. After abatement, the land taxes would remain \$35,880; the projected 10-year building tax would be \$46,332, for a total of \$82,212. The taxpayer would still be paying \$83,148 over 10 years. They are estimating an additional six employees, at \$10 per hour. Once abatement is granted, a Statement of Benefits is approved by the Council every year thereafter. Ms. Reed discussed her review of tax abatement procedures used by the City of Plainfield and told the Council that this does not meet their standards for even three years. Plainfield requires a 25,000 square foot building, she noted. Franklin's abatement is based on a point system, and this does not meet those standards. Ms. Reed commented that she could not in her mind justify a 10-year abatement. Mr. Sedgwick at this point defended his position as a Greenwood resident and businessman. Mr. Deer noted that the Council can confirm, modify and confirm or deny at this point. He stated he will support the small businessman. Ms. Reed moved to reduce the abatement from 10 years to 3 years. Second by Mr. Hardin. Ms. Nies commented that this would be a handicap for Mr. Sedgwick in trying to entice tenants. She pointed out to Council members that this is not a "job issue" and said that the number of jobs and the salaries does not change the amount abated on the summary page. There was next discussion on the percentage of abatement if reduced to 3 years, and Ms. Nies urged the Council to take into consideration that Mr. Sedgwick has been to five previous meetings on the project. Loren Puck of the Redevelopment Commission spoke from the audience, reminding the Council that tax abatement must be applied for before they can break ground. On a speculative building, he added, if we are going to hold them to a number of jobs and salary, it really is a guess. The Redevelopment Commission came to the conclusion, he told the Council, that a petitioner cannot be held to standards that don't exist, whether they are in some other city or not, and recommended the ten-year abatement. After more discussion, Roll Call: Nays – Deer, Gibson, Bless; Ayes – Hardin, Reed, Armstrong, Bates. **RESOLUTION 03-32 AMENDED TO THREE YEARS.** At the request of the petitioner, Mr. Bless moved to change the amended resolution from 3 years to 6. The percentages for each year were given and discussed. Vote: Ayes – Gibson, Hardin, Bates, Bless, Deer; Nays- Reed, Armstrong. **RESOLUTION 03-32 AMENDED TO SIX YEARS.** As there was no public input, the public hearing was closed. Mr. Bates moved to adopt Resolution No. 04-02. Second by Mr. Bless. Vote: Ayes – Hardin, Armstrong, Bates, Bless, Deer, Gibson; Nay – Reed.

RESOLUTION 04-02 ADOPTED. Ms. Nies urged the Council to give the Redevelopment Commission direction on guidelines so that the petitioner can have those guidelines.

ORDINANCE No. 04-02 – An Ordinance Amending Greenwood Municipal Code (1993), As Amend, Chapter 3, Article 1, Division II, Sections 3-14 and 3-16, To Change the Order of Business For Meetings of the Common Council and To Change the Procedure For Introduction of Ordinances and Resolutions. **INTRODUCED.**

ORDINANCE No. 04-03 – An Ordinance Amending Common Council Ordinance No. 01-39 Entitled “An Ordinance Regarding the Cost of Public Fire Protection Service to be Provided by Indiana-American Water Company, Inc.” to Repeal the Requirement that the Costs of Providing Water for Public Fire Protection be Recovered by the Water Utility Through the Basic Rates of Utility Customers Within the City. **INTRODUCED.**

ORDINANCE No. 04-04 – An Ordinance Reducing an Appropriation in the Funds of the Information Technology Department for Year 2004. **INTRODUCED.**

ORDINANCE No. 04-05 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately .34 acres, Lot 13 of the McCrary Subdivision, located south of County Line Road and on the east side of Meridian Street, commonly known as the Kimbler Property). **INTRODUCED.**

ORDINANCE No. 04-06 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately .34 Acres Located South of County Line Road and on the East Side of Meridian Street (commonly known as lot 13 of the McCrary Subdivision and the Kimbler Property). **INTRODUCED.**

ORDINANCE No. 04-07 – An Ordinance Providing For an Additional Appropriation From the General Fund to the Clerk-Treasurer (\$3,000). **INTRODUCED.**

RESOLUTION No. 04-03 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately .34 Acres Located on the Southeast Corner of County Line Road and Meridian Street, Referencing Annexation Ordinance No. 04-07. **INTRODUCED.**

Under miscellaneous business, Mr. Gibson asked about an update on the stoplight at Main Street and I-65, on the left-turn eastbound. Mayor Henderson will follow up on that.

Mr. Hardin moved to table Ordinance 04-04 until late April, with second by Mr. Armstrong. Vote: Ayes. **ORDINANCE No. 04-04 TABLED.**

Mr. Bates passed on a letter from Mr. Ed Harrier regarding the proposed Wal-Mart on State Road 135. He had also received a letter from Printers, Inc. requesting being able to bid. Mr. Bates publicly commended former Council members Mike Tapp and Jack Downs for their work on the Council and also Mr. Deer for his years on the Plan Commission. He also requested that Council members have business cards.

Mr. Deer requested that on an appropriate meeting agenda, the Council be given a basic overview of present and future sewer development and expectations and where growth appears to be occurring.

Mr. Hardin asked about the progress in a list of street paving projects. Mayor Henderson said that is being worked on as a part of Mr. Armstrong's request that will be ready on February 16th.

Ms. Myers told the Council that she had included letters regarding the proposed Wal-Mart in their folders. Mr. Ferguson clarified that members of the Plan Commission, under State statute and their rules of procedure, are not allowed to discuss any pending petition.

Mayor Henderson mentioned that he had passed out the results of a traffic study in the Barrington Subdivision, also the standards employed. The Mayor had also passed out a phone list of department heads, City employees and board members. March 6th at 8:a.m. is the annual prayer breakfast at Jonathan Byrd's, hosted by the Christian Businessmen's Association. The State of the City Address is January 27th at Valle Vista at 11:15 a.m., said the Mayor. Anyone wishing to attend should notify the Chamber of Commerce or the Mayor's secretary.

With no further business, the meeting adjourned at 8:20 p.m.